

House Bill 1111

By: Representatives Ramsey of the 72<sup>nd</sup>, Cole of the 125<sup>th</sup>, Lindsey of the 54<sup>th</sup>, Pruett of the 144<sup>th</sup>, Levitas of the 82<sup>nd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 47-1-20 of the Official Code of Georgia Annotated, relating to definitions relative to restrictions and prohibitions on membership in public retirement or pension systems, so as to provide that unlawful acts relating to state mandatory uniform assessments shall be included in the definition of "public employment related crime" relating to retirement benefits; to provide for related matters; to provide a contingent effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 47-1-20 of the Official Code of Georgia Annotated, relating to definitions relative to restrictions and prohibitions on membership in public retirement or pension systems, is amended by revising paragraph (6) as follows:

"(6) 'Public employment related crime' means any one or more of the following crimes:

(A) Theft as provided in any one or more of Code Sections 16-8-2 through 16-8-9 when the theft is by an officer or employee of a government in breach of duties as such officer or employee and conviction for such crime is punishable under paragraph (3) of subsection (a) of Code Section 16-8-12;

(B) Any felony provided for in Article 1 of Chapter 10 of Title 16, relating to abuse of governmental office;

(C) Making false statements or concealing facts in matters within the jurisdiction of the state or a political subdivision as provided in Code Section 16-10-20;

(D) Conspiracy to defraud the state or a political subdivision as provided in Code Section 16-10-21;

(E) Stealing, altering, or concealing public records as provided in Code Section 45-11-1;

(F) Selling offices or dividing fees as provided in Code Section 45-11-2; and

(G) Unlawful acts relating to state mandatory uniform assessments as provided in Code Section 20-2-281.1; provided, however, that this subparagraph shall only apply to persons who first or again become members of a public retirement system on or after July 1, 2010; and

~~(G)~~(H) Any felony conviction for any of the crimes specified in subparagraphs (A) through (E) of this paragraph under the laws of any other state or the United States; provided, however, that the provisions of this subparagraph shall apply to persons who first or again become members of a public retirement system on or after July 1, 2008."

## SECTION 2.

This Act shall become effective upon the approval of this Act by the Governor only if another Act enacted at the 2010 general session of the General Assembly becomes law specifically providing for unlawful acts relating to state mandatory uniform assessments. Otherwise, this Act shall stand repealed in its entirety.

## SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.